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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/746,222  | 12/26/2000  | Masahiro Tada        | 04329.2484          | 1143             |
| 22852   | 7590        | 06/30/2005           | EXAMINER            |                  |
| FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER<br>LLP<br>901 NEW YORK AVENUE, NW<br>WASHINGTON, DC 20001-4413 |             |                      | CAO, CHUN           |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2115                |                  |

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

|          |                 |              |
|----------|-----------------|--------------|
|          | Application No. | Applicant(s) |
|          | 09/746,222      | TADA ET AL.  |
| Examiner | Art Unit        |              |
| Chun Cao | 2115            |              |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 07 June 2005.  
2a) This action is FINAL.                    2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.  
4a) Of the above claim(s) 1-3,7-12 and 16-18 is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_\_ is/are allowed.  
6) Claim(s) 4-6 and 13-15 is/are rejected.  
7) Claim(s) \_\_\_\_\_ is/are objected to.  
8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:  
    1. Certified copies of the priority documents have been received.  
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)                  4) Interview Summary (PTO-413)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                  Paper No(s)/Mail Date. \_\_\_\_\_.  
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
    Paper No(s)/Mail Date 4/18/05.                  5) Notice of Informal Patent Application (PTO-152)  
    6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-18 are presented for examination. Claims 1-3, 7-12 and 16-18 are withdrawn due the restriction rejection.
2. The text of those applicable section of Title 35, U.S. Code not included in this action can be found in the prior Office Action.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The current title is imprecise.

***Continued Examination Under 37 CFR 1.114***

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/7/05 has been entered.
5. The rejections are respectfully maintained to the extent that is applicable to the amended claims and reproduced infra for applicant's convenience.
6. Claims 4-6 and 13-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Dorinski (Dorinski), U.S. patent no. 5,821,854.

As per claim 4, Dorinski discloses an information processing apparatus [202, fig. 2] capable of communicating with a portable device by radio [214, fig. 2; col. 2, lines 11-15], comprising:

means for establishing a radio link to the portable device [col. 2, lines 11-15, 20-25; col. 3, lines 23-27];

means for monitoring a change in field strength of a radio wave in a state where the radio link has been established [col. 2, lines 19-36; col. 2, line 62-col. 3, line 4; col. 3, lines 27-42]; and

control means for selectively activating a corresponding one of a plurality of different programs [lock-out mode and active mode of the computer] operable in the information processing apparatus in accordance with the change in the field strength monitored by the monitoring means [col. 2, lines 7-36; col. 3, lines 5-10, 35-46].

As per claim 5, Dorinski discloses that the control means selectively activates a logoff processing program for executing a logoff processing including cancellation of a logon state when the field strength lowers to a predetermined value [col. 2, lines 34-36; col. 3, lines 4-10, 35-56].

As per claim 6, Dorinski discloses that the control means selectively activates a logon processing program for executing a logon processing including user authentication [col. 4, lines 8-18] when the field strength becomes less than a predetermined value [col. 2, lines 7-11, 28-36; col. 3, lines 3-10, 35-46].

As to claims 13-15, Dorinski teaches the claimed system of claims 4-6. Therefore, Dorinski teaches the claimed method of steps to carry out the claimed system.

***Response to Arguments***

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7. Applicant's arguments filed on 6/7/05, which have been fully considered but they are not persuasive.

8. In the remarks, Applicant argued that Dorinski fails to teach at least "control means for selectively activating a corresponding one of a plurality of different programs".

9. The examiner respectfully traverses the argument for the following reasons:

Dorinski discloses that control means for selectively activating a corresponding one of a plurality of different programs [lock-out mode and active mode of the computer] operable in the information processing apparatus in accordance with the change in the field strength monitored by the monitoring means [col. 2, lines 7-36; col. 3, lines 5-10, 35-46].

Also see detailed rejection indicated above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun Cao whose telephone number is 571-272-3664. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on 571-272-3667. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is 571-272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chun Cao

June 24, 2005